

UNITED STATES DISCRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MELINDA THEW COOPER, individually and as a  
shareholder of TACONIC 82, INC.,

Plaintiff,

—against—

LARRY THEW; JOHN THEW; LARRY THEW, as  
executor of the Estate of Richard Thew; JOHN THEW,  
as executor of the Estate of Richard Thew; LARRY  
THEW, as successor co-trustee of the Gerald Thew Family  
Trust; JOHN THEW, as successor co-trustee of the Gerald  
Thew Family Trust; LARRY THEW, as co-trustee of the  
R.W. Thew Trust a/k/a/ the R.W. Thew Irrevocable Living  
Trust; JOHN THEW, as co-trustee of the R.W. Thew Trust  
a/k/a the R.W. Thew Irrevocable Living Trust; THE CURRY  
FAMILY PARTNERSHIP; TACONIC 82, INC.; LARRY  
THEW, as an officer and/or director of TACONIC 82, INC.;  
JOHN THEW, as an officer and/or director of TACONIC  
82, INC.; REED SMITH, LLP; STEPHEN P. O'HARE,  
Esq.; WILLIAM J. O'HARE, Esq.; O'HARE & O'HARE,  
P.C.; MICHELE THEW; and PATRICIA CARSON,

Defendants.

-----X  
STATE OF NEW YORK                    )  
  )  
COUNTY OF WESTCHESTER        ) ss.:

STEPHANIE SCHINELLA, being duly sworn, deposes and says:

I am employed by the firm of Kurzman Eisenberg Corbin Lever & Goodman, LLP, attorneys  
for Defendants; I am not a party to the above action; I am over 18 years of age and reside at New  
Rochelle, New York. On January 18, 2005, I served the within **NOTICE OF MOTION AND  
DECLARATION OF KATHRYN P. BELER, ESQ. WITH EXHIBITS** via FIRST CLASS MAIL at  
the following addresses:

Richard R. DuVall, Esq.  
McCabe & Mack LLP  
63 Washington Street  
P.O. Box 509  
Poughkeepsie, NY 12602-0509

William J. O'Hare  
6 O'Hare Drive  
LaGrangeville, NY 12540

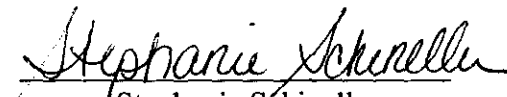
Lance Gotthoffer  
Kenneth D. Greenwald  
Reed Smith  
599 Lexington Avenue  
New York, NY 10022

O'Hare and O'Hare P.C.  
488 Freedom Plains Road  
Suite 103  
Poughkeepsie, NY 12603

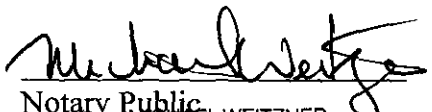
Stephen O'Hare, Esq.  
Stephen O'Hare, PLLC  
488 Freedom Plains Road, Suite 103  
Poughkeepsie, NY 12603

Patricia Carson  
Pulling Road  
6 O'Hare Drive  
LaGrangeville, NY 12540

The Curry Family Partnership  
Ora J. Curry, General Partner  
45 Midgeon Road  
Torrington, CT 06790

  
Stephanie Schinella

Sworn to before me this  
18 day of January 2005

  
Notary Public  
MICHAEL WEITZNER  
Notary Public, State of New York  
No. 02WE5051139  
Qualified in Westchester County  
Certificate Filed in New York County  
Commission Expires October 30, 2005 